

REMARKS

Figure 2 is resubmitted for approval of a minor correction. Claims 9-11 and 13-14 have been amended. Claims 9-14 remain pending. Reconsideration and reexamination of the application, as amended are requested.

The Examiner objected to the drawings. The Examiner indicated that the sheet of drawing which includes changes to Figure 2 and submitted by Applicant on 3/16/2004 was not scanned and did not appear in the file. The Examiner requested resubmittal. Applicant herewith resubmits corrected Figure 2 for Examiner approval.

The Examiner rejected claims 9-14 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner indicated "There is no support for a metal wiring layer located over the entire substrate except at an opening (i.e. one opening), as recited in claim 9." Applicant has amended claim 9 and the other claims as appropriate to reflect that there are multiple openings disclosed in the metal wiring layer as shown in the drawings. Thus, the metal wiring layer is located over the "entire" substrate, except at the multiple openings. Consequently, it submitted that the § 112, first paragraph rejection is no longer applicable.

The Examiner rejected claims 10-14 under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner indicated that "the claimed limitations of a smaller amount of radiating rays being irradiated, as recited in claim 10, are unclear as to what is the amount of radiating rays since applicant does not recite "a smaller amount" from which quantity." Applicant submits that the claims are definite in that the "smaller amount of radiating rays are irradiated elsewhere in said substrate except the regions under the openings". That is, smaller is simply relative to regions under the openings and elsewhere in said substrate. It is not necessary to specify a "quantity". Furthermore, the phrase is explanatory and part of a functional statement in order to make the claimed structure clearer.

The Examiner rejected claims 9-12 under 35 U.S.C. 103(a) as being obvious on consideration of Sakamoto.

In Sakamoto, a silicon nitride film is provided such that it has an opening vertically above a pn junction so that the silicon nitride film restrains exposure to particle rays in areas other than the pn junction. Electrodes 18, 19 made of aluminum are provided on the silicon nitride film.

Claim 9 makes it clear that the metal wiring layer, as claimed, is located over the "entire" substrate except at openings above the regions irradiated. The metal wiring layer is a single electrode as indicated in Figure 2 of the present disclosure. On the other hand, electrodes 18, 19 of Sakamoto are a pair of electrodes which could not form an opening as claimed and still function as different electrodes. Sakamoto does not use electrodes 18, 19 as a shielding layer, but rather has a separate silicon nitride layer which restrains exposure to particle rays during manufacture. The silicon nitride layer and the pair of electrodes 18, 19 of Sakamoto are clearly different from the metal wiring layer having openings as claimed in claim 9. Furthermore, Sakamoto does not use language which would point to or teach replacing electrodes 18, 19 and the separate silicon nitride layer by a single metal wiring layer. Hence, claim 9 and the claim which depend from it are nonobvious over Sakamoto.

The Examiner rejected claims 13-1 and the separate silicon nitride layer by a single metal wiring layer. Hence, claim 9 and the claim which depend from it are nonobvious over Sakamoto.

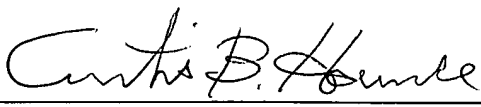
The Examiner rejected claims 13-14 under 35 U.S.C. 103(a) as being obvious on consideration of Sakamoto in view of Takahashi. These claims depend from claim 9 and further define it. Although Applicant does not acquiesce in the separate rejection of these claims, it is not necessary to further distinguish them at this time.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration and reexamination are requested. Allowance of claims 9-14 at an early date is solicited.

Respectfully submitted,

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Date: Oct. 7, 2004


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Amendments to the Drawings:

Upon the Examiner's request, Applicant is resubmitting amended Figure 2 for consideration. The attached drawing sheet includes changes to Figure 2 and replaces the original Figure 2 drawing sheet.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes



FIG.2

